

**FAIR HAVEN BOROUGH COUNCIL
REGULAR MEETING AGENDA
MAY 13, 2019, 7:00 P.M.**

1. **Call to Order:** pm
2. **Salute to the Flag:**
3. **Moment of Meditation:**
4. **Sunshine Law Notice:**
5. **Roll Call:** Councilmembers Banahan Koch Peters
Rice Rodriguez Sorensen
6. **Proclamation**
 - National Safe Boating Week
 - National Gun Violence Awareness Day – June 7th
7. **Workshop Session**
 - Tree Removal Appeal – 6 Denise Court
 - Restaurant Classification Overview and Discussion (Attorney Alfieri/Heyer & Gruel Associates)
 - 2019 Municipal Budget Amendment
 - Resolution No. 2019-107, Approve 2019 Budget Amendment
8. **Public Comment on Agenda Items**
9. **Approval of Minutes**
 - April 29, 2019 Regular Meeting
 - April 29, 2019 Executive Session
10. **Old Business**
 - Hearing on 2019 Municipal Budget

Hearing and Adoption of Ordinance
2019-04 Amend Salary Ordinance
11. **New Business**
 - Introduction of Ordinance**
2019-05 Renew Consent for COMCAST Renewal

Consent Agenda
Resolutions
2019-102 Appoint Zoning Board, Alternate #2
2019-103 Approve Zoning Board Application Fee Refund-Kolarsick Builders, 173 Hunting Lane
2019-104 Authorize Execution of Interlocal Service Agreement with Rumson for Construction Code Services
2019-105 Executive Session: Personnel, Pending Litigation, Acquisition of Property and Contract Negotiations
2019-106 Approve Temporary Emergency Appropriations
2019-108 Payment of Vouchers

Department Reports

December 2018

-Chief Financial Officer

January 2019

-Chief Financial Officer

February 2019

-Chief Financial Officer

March 2019

-Chief Financial Officer

April 2019

-Municipal Clerk

-Dog License

-Planning Board and Zoning Board

-Tax Collector

-Municipal Court

-Chief Financial Officer

-Police Department

12. **Good of the Borough - Please stand and identify yourself by clearly stating your name and address for the record** (*Please observe a time limit of three minutes*)
13. **Resolution**
2019-109 Award Solid Waste and Recycling Contract to Suburban Disposal
14. **Adjournment**

PROCEDURE FOR CITIZEN PARTICIPATION AT COUNCIL MEETINGS

The Fair Haven Borough Council and the Mayor welcome comments, suggestions and inquiries from residents of Fair Haven. To that end, provision is made for a public discussion period at each meeting. It is listed as:

“Public Discussion” – near the end of the meeting where any topic may be addressed.

You must wait to be recognized by the Mayor. **IDENTIFY YOURSELF BY CLEARLY STATING YOUR NAME AND ADDRESS FOR THE RECORD.** Limit your comments to three (3) minutes. Once a particular topic has been addressed by a member of the public, he/she will not be recognized to talk again on the same topic until all others have been heard a first time.

If you wish to reserve time to speak in advance, you may address your request to Allyson Cinquegrana at 732-747-0241 extension 221, by noon on the Friday preceding the meeting.

You will **NOT** be recognized, **NOR SHOULD YOU COMMENT OR CARRY ON A DEBATE OR DIALOGUE WHILE BUSINESS OF THE BOROUGH IS BEING ADDRESSED BY MAYOR AND COUNCIL.**

**BOROUGH OF FAIR HAVEN
ORDINANCE NO. 2019-04**

**AN ORDINANCE OF THE COUNCIL OF THE BOROUGH OF FAIR HAVEN IN THE COUNTY OF
MONMOUTH SETTING THE SALARY RANGES OF OFFICERS, EMPLOYEES AND
ADMINISTRATIVE AND EXEMPT MEMBER OF THE BOROUGH OF FAIR HAVEN**

BE IT ORDAINED by the Council of the Borough of Fair Haven, in the County of Monmouth, in the State of New Jersey that the purpose of this Ordinance is to amend Ordinance 2017-03 to alter and reflect current salary ranges paid within the Borough, as last revised and passed April 10, 2017.

NOTE: Additions are in *bold italics with underlines*, deletions are shown as *strikeovers in bold italics*.

SECTION 1. ADMINISTRATIVE OFFICE AND EMPLOYEES

<u>TITLE</u>	<u>MINIMUM - MAXIMUM</u>	
Borough Administrator	\$40,000.00—147,000.00	<u><i>\$50,000.00-150,000.00</i></u>
Assistant Borough Administrator	\$ 500.00 - 25,000.00	
Borough Clerk	\$20,000.00—75,000.00	<u><i>\$40,000.00- 90,000.00</i></u>
Deputy Borough Clerk	\$ 2,000.00 - 5,000.00	
Chief Financial Officer	\$20,000.00 - 40,000.00*	
Assistant Chief Financial Officer	\$25,000.00 - 65,000.00	
Payroll Coordinator	\$ 3,500.00 - 7,500.00	
Tax Collector	\$35,000.00 - 60,000.00*	
Tax Search Officer	\$ 1,000.00 - 3,500.00*	
Municipal Court Administrator	\$ 5,000.00 - 25,000.00*	
Tax Assessor	\$ 15,000.00 - 30,000.00	
Administrative Assistant	\$ 18,000.00 - 40,000.00	<u><i>\$45,000.00</i></u>
Registrar	\$ 2,000.00 - 4,000.00	
Librarian	\$ 22,000.00— 50,000.00	<u><i>\$30,000.00-55,000.00</i></u>
Assistant Librarian	\$ 20,000.00 - 35,000.00	<u><i>\$40,000.00</i></u>
Municipal Judge	\$ 10,000.00 - 20,000.00	
Municipal Prosecutor	\$ 7,500.00 - 20,000.00	
Parks and Recreation Director	\$ 15,000.00—60,000.00	<u><i>\$30,000.00-65,000.00</i></u>
Chief of Police	\$ 75,000.00 147,000.00	<u><i>\$150,000.00</i></u>
Police Officer	\$ 30,000.00 125,000.00	<u><i>\$135,000.00</i></u>
Code Enforcement Officer	\$ 10,000.00 - 20,000.00	<u><i>\$25,000.00</i></u>
Zoning Officer	\$ 10,000.00 - 30,000.00	
Construction Official	\$ 20,000.00 - 45,000.00*	
Fire Sub-Code Officer	\$ 4,000.00 - 15,000.00*	
Fire Prevention Officer	\$ 4,000.00 - 8,000.00*	
Plumbing Inspector	\$ 3,000.00 - 15,000.00*	
Electrical Inspector	\$ 5,000.00 - 15,000.00*	
School Crossing Guard (<u><i>permanent</i></u>)	\$ 5,000.00 - 10,000.00	<u><i>\$ 12,000.00</i></u>
Director of Engineering/Director of Public Works	\$ 80,000.00 -130,000.00	<u><i>\$140,000.00</i></u>
Assistant Director of Engineering & Public Works	\$ 50,000.00 - 80,000.00	
Public Works Foreman	\$ 50,000.00 - 80,000.00	
Buildings, Grounds and Parks Foreman	\$ 2,000.00 - 3,000.00	<u><i>\$5,000.00</i></u>
Streets and Sanitation Foreman	\$ 2,000.00 - 3,000.00	<u><i>\$5,000.00</i></u>
Mechanic	\$ 45,000.00 - 80,000.00	
Public Works Laborer	\$ 27,500.00 - 72,500.00	<u><i>\$75,000.00</i></u>
Municipal Alliance Coordinator	\$ 5,000.00 - 20,000.00	

Recycling Coordinator	\$ 500.00 - 2,500.00
Performance Based Merit Bonus	\$ 0.00 - 10,000.00

HOURLY RANGES

Receptionist/Secretary	\$10.00 - 15.00 per hour
Assistant Parks and Recreation Director	\$14.00 - 18.00 per hour
Police Records Clerk	\$10.00 - 18.00 per hour
Special Officer Class I	\$10.00 - 17.00 per hour <u>\$20.00/hour</u>
Special Officer Class II	\$13.00 - 18.00 per hour <u>\$20.00/hour</u>
School Crossing Guard (<i><u>substitute</u></i>)	\$ 9.00 - 17.00 per hour
Public Works Laborer	\$ 9.00- 15.00 per hour <u>\$20.00/hour</u>
Planning Board Secretary	\$ 8.00 - 18.00 per hour <u>\$20.00/hour</u>
Zoning Board Secretary	\$8.00 - 18.00 per hour <u>\$20.00/hour</u>
Code Enforcement Officer	\$12.00 - 18.00 per hour
Deputy Court Administrator/Violations Clerk	\$13.00 - 18.00 per hour*
Library Assistant	\$10.00 - 17.00 per hour <u>\$20.00/hour</u>
Clean Communities Worker	\$ 9.00 - 15.00 per hour
Summer Camp Counselors	\$10.00 - 20.00 per hour
Tennis Camp Instructors	\$14.00 - 18.00 per hour

BE IT FURTHER ORDAINED that specific salaries and bonuses within the ranges will be set by a negotiated contract or in an annual salary resolution adopted by the governing body.

*Services provided through an Interlocal Service Agreement (positions are currently vacant)

ORDINANCE NO. 2019-05

AN ORDINANCE GRANTING RENEWAL OF MUNICIPAL CONSENT TO COMCAST OF MONMOUTH COUNTY, LLC. TO CONSTRUCT, CONNECT, OPERATE AND MAINTAIN A CABLE TELEVISION AND COMMUNICATIONS SYSTEM IN THE MUNICIPALITY OF FAIR HAVEN, MONMOUTH COUNTY, NEW JERSEY

BE IT ORDAINED AND ENACTED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF FAIR HAVEN, MONMOUTH COUNTY, NEW JERSEY, AS FOLLOWS:

SECTION 1. PURPOSE OF THE ORDINANCE.

The Borough hereby grants to Comcast renewal of its non-exclusive Municipal Consent to place in, upon, across, above, over and under highways, streets, alleys, sidewalks, easements, public ways and public places in the Borough, poles, wires, cables, underground conduits, manholes and other television conductors, fixtures, apparatus, and equipment as may be necessary for the construction, operation and maintenance in the Borough of a cable television and communications system.

SECTION 2. DEFINITIONS.

For the purpose of this Ordinance, the following terms, phrases, words and their derivations shall have the meaning given herein. Such meaning or definition of terms in supplemental to those definitions of the Federal Communications Commission ("FCC") rules and regulations, 47 C.F.R. Subsection 76.1 et seq., and the Cable Communications Policy Act, 47 U.S.C. Section 521 et seq., as amended, and the Cable Television Act, N.J.S.A. § 48:5A-1 et seq., and shall in no way be construed to broaden, alter or conflict with the federal and state definitions:

- a. "Borough" is the Borough of Fair Haven, County of Monmouth, State of New Jersey.
- b. "Company" or "Comcast" is the grantee of rights under this Ordinance and is known as Comcast of Monmouth County LLC.
- c. "Act" or "Cable Television Act" is Chapter 186 of the General Laws of New Jersey, and subsequent amendments thereto, N.J.S.A. § 48:5A-1, et seq.
- d. "FCC" is the Federal Communications Commission.
- e. "Board" or "BPU" is the Board of Public Utilities, State of New Jersey.
- f. "Office" or "OCTV" is the Office of Cable Television of the Board.
- g. "Basic Cable Service" means any service tier, which includes the retransmission of local television broadcast signals as defined by the FCC.
- h. "Application" is the Company's Application for Renewal of Municipal Consent.
- i. "Primary Service Area" or "PSA" consists of the area of the Borough currently served with existing plant as set forth in the map annexed to the Company's Application for Municipal Consent.

SECTION 3. STATEMENT OF FINDINGS.

Public hearings conducted by the Borough, concerning the renewal of Municipal Consent herein granted to the Company were held after proper public notice pursuant to the terms and conditions of the Act and the regulations of the Board adopted pursuant thereto. Said hearings, having been fully open to the public, and the Borough, having received at said public hearings all comments regarding the qualifications of the Company to receive this renewal of Municipal Consent, the Borough hereby finds that the Company possesses the necessary legal, technical, character, financial and other qualifications and that the Company's operating and construction arrangements are adequate and feasible.

SECTION 4. DURATION OF FRANCHISE.

The non-exclusive Municipal Consent granted herein shall expire 10 years from the date of expiration of the previous Certificate of Approval issued by the Board.

In the event that the Borough shall find that the Company has not substantially complied with the material terms

and conditions of this Ordinance, the Borough shall have the right to petition the OCTV, pursuant to N.J.S.A. § 48:5A-47, for appropriate action, including modification AND/OR termination of the Certificate of Approval; provided, however, that the Borough shall first have given the Company written notice of all alleged instances of non-compliance and an opportunity to cure same within ninety (90) days of that notification.

SECTION 5. FRANCHISE FEE.

Pursuant to the terms and conditions of the Act, the Company shall, during each year of operation under the consent granted herein, pay to the Borough two percent (2%) of the gross revenues from all recurring charges in the nature of subscription fees paid by subscribers for cable television reception service in the Borough or any higher amount permitted by the Act or otherwise allowable by law, whichever is greater.

SECTION 6. FRANCHISE TERRITORY.

The consent granted under this Ordinance for the renewal of the franchise shall apply to the entirety of the Borough and any property subsequently annexed hereto.

SECTION 7. EXTENSION OF SERVICE.

The Company shall be required to proffer service to any residence along any public right-of-way in the Primary Service Area, as set forth in the Company's Application. Any extension of plant beyond the Primary Service Area shall be governed by the Company's Line Extension Policy, as set forth in the Company's Application, with a HPM ("homes-per-mile") of 35 dwellings per linear mile from the nearest active trunk or feeder line.

SECTION 8. CONSTRUCTION REQUIREMENTS.

a. Restoration: In the event that the Company or its agents shall disturb any pavement, street surfaces, sidewalks, driveways, or other surface in the natural topography, the Company shall, at its sole expense, restore and replace such places or things so disturbed in as good a condition as existed prior to the commencement of said work.

b. Relocation: If at any time during the period of this consent, the Borough shall alter or change the grade of any street, alley or other way or place the Company, upon reasonable notice by the Borough, shall remove, re-lay or relocate its equipment, at the expense of the Company prior to approval of the board.

c. Removal or Trimming of Trees: During the exercise of its rights and privileges under this franchise, the Company shall have the authority to trim trees upon and overhanging streets, alleys, sidewalks or other public places of the Borough so as to prevent the branches of such trees from coming in contact with the wires and cable of the Company. Such trimming shall be only to the extent necessary to maintain proper clearance of the Company's wire and cables.

d. Temporary removal of cables: The Company shall, upon request of the Borough, at the company's expense, temporarily raise, lower or remove its lines in order to facilitate the moving of buildings or machinery or in other like circumstances, subject to the prior approval of the board.

e. Installation of equipment: The Company shall install equipment in the same location and manner as existing public utilities whenever possible, in order to minimize the impact of same on surrounding property.

SECTION 9. CUSTOMER SERVICE.

In providing services to its customers, the Company shall comply with N.J.A.C. § 14:18-1, et seq. and all applicable state and federal statutes and regulations. The Company shall strive to meet or exceed all voluntary company and industry standards in the delivery of customer service and shall be prepared to report on it to the Borough upon written request of the Borough Administrator or Clerk.

a. The Company shall continue to comply fully with all applicable state and federal statutes and regulations regarding credit for outages, the reporting of same to regulatory agencies and notification of same to customers.

b. The Company shall continue to fully comply with all applicable state and federal statutes and regulations regarding the availability of devices for the hearing impaired and the notification of same to customers.

c. The Company shall use every reasonable effort to meet or exceed voluntary standards for telephone accessibility developed by the National Cable Television Association ("NCTA").

d. Nothing herein shall impair the right of any subscriber or the Borough to express any comment with respect to telephone accessibility to the Complaint Officer, or impair the right of the Complaint Officer to take any action that is

permitted under law.

SECTION 10. MUNICIPAL COMPLAINT OFFICER.

The Office of Cable Television is hereby designated as the Complaint Officer for the Borough pursuant to N.J.S.A. § 48:5A-26(b). All complaints shall be received and processed in accordance with N.J.A.C. § 14:17-6.5. The Borough shall have the right to request copies of records and reports pertaining to complaints by Borough customers from the OCTV.

SECTION 11. LOCAL OFFICE.

During the term of this franchise, and any renewal thereof, the Company shall maintain a business office or agent in accordance with N.J.A.C. § 14:18-5.1 for the purpose of receiving, investigating and resolving all local complaints regarding the quality of service, equipment malfunctions, and similar matters. Such a business office shall have a publicly listed toll-free telephone number and be open during standard business hours.

SECTION 12. PERFORMANCE BOND.

During the life of the franchise the Company shall give to the Borough a bond in the amount of Twenty-Five Thousand Dollars (\$25,000). Such bond shall be to insure the faithful performance of all undertakings of the Company as represented in its application for municipal consent incorporated herein.

SECTION 13. SUBSCRIBER RATES.

The rates of the Company shall be subject to regulation as permitted by federal and state law.

SECTION 14. COMMITMENTS BY THE COMPANY.

a. The Company shall provide Expanded Basic or a similar tier of cable television service to one (1) outlet at no cost to each qualified existing and future school in the Borough, public and private, elementary, intermediate and secondary, provided the school building is within two hundred (200) feet of active cable distribution plant or through customer owned conduit. Each additional outlet installed, if any, shall be paid for on a materials plus labor basis by the school requesting service.

b. The Company shall provide Expanded Basic or a similar tier of cable television service at no cost to one (1) outlet to each qualified existing and future municipal building, police, fire, emergency management facility and public library in the Borough, provided the facility is located within two hundred (200) feet of active cable distribution plant or through customer owned conduit. Each additional outlet installed, if any, shall be paid for on a materials plus labor basis by the Borough.

c. Within six months of the issuance of a Renewal Certificate of Approval by the BPU, the Company shall provide to the Borough a one-time Technology Grant in the amount of \$5,500 to meet the technology and/or cable related needs of the community.

d. The Communications Act of 1934, as amended [47 U.S.C. § 543 (b)], allows the Company to itemize and/or identify: (1.) the amount on the subscriber bill assessed as a franchise fee and the identity of the governmental authority to which the fee is paid; (2.) the amount on the bill assessed to satisfy any requirements imposed on the Company by the cable franchise to support public, education, and/or governmental access channels or the use of such channels; and (3.) any grants or other fees on the bill or any tax, assessment, or charge of any kind imposed by any governmental authority on the transaction between the operator and the subscriber. The Company reserves its external cost, pass-through rights to the full extent permitted by law.

SECTION 15. EMERGENCY USES.

a. The Company will comply with the Emergency Alert System ("EAS") rules in accordance with applicable state and federal statutes and regulations.

b. The Company shall in no way be held liable for any injury suffered by the Borough or any other person, during an emergency, if for any reason the Borough is unable to make full use of the cable television system as contemplated herein.

SECTION 16. LIABILITY INSURANCE.

The Company shall at all times maintain a comprehensive general liability insurance policy with a single limit amount of One Million Dollars (\$1,000,000) covering liability for any death, personal injury, property damages or other liability arising out of its construction and operation of the cable television system, and an excess liability (or "umbrella") policy in the amount of Five Million Dollars (\$5,000,000).

SECTION 17. INCORPORATION OF THE APPLICATION.

All of the statements and commitments contained in the Application or annexed thereto and incorporated therein, and any amendment thereto, except as modified herein, are binding upon the Company as terms and conditions of this consent. The Application and other relevant writings submitted by the Company shall be annexed hereto and made a part hereof by reference provided same do not conflict with application State or Federal law.

SECTION 18. COMPETITIVE EQUITY.

Should the Borough grant municipal consent for a franchise to construct, operate and maintain a cable television system to any other person, corporation or entity on terms materially less burdensome or more favorable than the terms contained herein, the Company may substitute such language that is more favorable or less burdensome for the comparable provision of this Ordinance subject to the provisions of N.J.A.C. § 14:17-6.7.

SECTION 19. SEPARABILITY.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court or federal or state agency of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and its validity or unconstitutionality shall not affect the validity of the remaining portions of the Ordinance.

SECTION 20. THIRD PARTY BENEFICIARIES.

Nothing in this Franchise or in any prior agreement is or was intended to confer third-party beneficiary status on any member of the public to enforce the terms of such agreements or Franchise.

SECTION 21. EFFECTIVE DATE.

This Ordinance shall take effect immediately upon issuance of a Renewal Certificate of Approval from the BPU.

COUNCIL OF THE BOROUGH OF FAIR HAVEN
MONMOUTH COUNTY, NEW JERSEY
RESOLUTION

Motion by:

Second by:

AFFIRMATIVE:

NEGATIVE:

ABSTAIN:

ABSENT:

RESOLUTION NO. 2019-102

TITLE: APPOINTING ZONING BOARD MEMBER, ALTERNATE #2 TO AN UNEXPIRED TERM – LALINE NEFF

WHEREAS, the Borough of Fair Haven has constituted and appointed a Zoning Board of Adjustment pursuant to N.J.S.A. 40:55D-69; and

WHEREAS, Borough of Fair Haven Municipal Code 30-3.2a provides that the Mayor may appoint Zoning Board members with the confirmation of the Borough Council; and

WHEREAS, a vacancy currently exists on the Zoning Board, Alternate #2 position with a term that will expire on December 31, 2020.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Haven that Laline Neff is hereby appointed as a Zoning Board Alternate #2 Member with a term to expire on December 31, 2020.

**COUNCIL OF THE BOROUGH OF FAIR HAVEN
MONMOUTH COUNTY, NEW JERSEY
RESOLUTION**

Motion by:

Second by:

AFFIRMATIVE:

NEGATIVE:

ABSTAIN:

ABSENT:

RESOLUTION NO. 2019-103

TITLE: REFUND ZONING BOARD APPLICATION FEE TO KOLARSICK BUILDERS, 173 HUNTING LANE - BLOCK 10, LOT 23

WHEREAS, Kolarsick Builders submitted a Zoning Board Application for 173 Hunting Lane, Block 10, Lot 23; and

WHEREAS, the applicant submitted the application fee of \$500 to the Zoning Board secretary; and

WHEREAS, Mr. Kolarsick withdrew his application and has requested a refund of the application fee; and

WHEREAS, the Zoning Board Secretary has provided, in writing, a request for said refund

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Fair Haven that the Chief Financial Officer will refund the application fee in the amount of \$500 to Kolarsick Builders, PO Box 614, Rumson, New Jersey 07760.

COUNCIL OF THE BOROUGH OF FAIR HAVEN
MONMOUTH COUNTY, NEW JERSEY
RESOLUTION

Motion by:

Second by:

AFFIRMATIVE:

NEGATIVE:

ABSTAIN:

ABSENT:

RESOLUTION NO. 2019-104

**TITLE: **AUTHORIZE EXECUTION OF AN INTERLOCAL SERVICE AGREEMENT WITH
 THE BOROUGH OF RUMSON FOR CONSTRUCTION CODE SERVICES (2019-2022)****

WHEREAS, the Borough of Rumson presently provides Uniform Construction Code services to the Borough of Fair Haven; and

WHEREAS, the Borough of Rumson will continue to serve as the Interlocal Enforcing Agency pursuant to N.J.A.C. 5:23-4.6 et seq and said services shall include that of the Construction Code Official and of the Building, Electrical, Fire and Plumbing Subcodes; and

WHEREAS, the proposed agreement under the Interlocal Service Act, N.J.S.A. 40:8A-1, is in the best interests of the municipalities and will tend to promote economy and efficiency in governing.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Haven that the Mayor and Borough Clerk be and hereby are authorized to enter into an agreement with the Borough of Rumson for the provision of Construction Code Services to the Borough of Fair Haven for the period of January 1, 2019 through December 31, 2022.

**COUNCIL OF THE BOROUGH OF FAIR HAVEN
MONMOUTH COUNTY, NEW JERSEY
RESOLUTION**

Motion by:

Second by:

AFFIRMATIVE:

NEGATIVE:

ABSTAIN:

ABSENT:

RESOLUTION NO. 2019-105

TITLE: EXECUTIVE SESSION

WHEREAS, the Open Public Meetings, P. L. 1975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist; and

WHEREAS, the Governing Body may wish to discuss the following matters:

Personnel

1. DPW Staffing

Pending Litigation

1. Yacht Works

Acquisition of Property

1. River Road

Contract Negotiations

1. Solid Waste and Recycling Contract

WHEREAS, minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentiality, then the minutes can be made public.

NOW THEREFORE BE IT RESOLVED that the public be excluded from this meeting.

COUNCIL OF THE BOROUGH OF FAIR HAVEN
MONMOUTH COUNTY, NEW JERSEY
RESOLUTION

Motion by:

Second by:

AFFIRMATIVE:

NEGATIVE:

ABSTAIN:

ABSENT:

RESOLUTION NO. 2019-106

TITLE: TEMPORARY EMERGENCY APPROPRIATION

WHEREAS, emergent conditions have arisen with respect to the payment of bills in a number accounts and no adequate provision has been made in a Year 2019 temporary budget for the aforesaid purposes; and

WHEREAS, NJSA 40A:4-20 provides for the creation of an emergency temporary appropriation for the purposes above mentioned; and

WHEREAS, the total temporary emergency resolutions adopted in the year 2019 for the Borough pursuant to the provisions of Chapter 96, PL 1951 (NJSA 40A:4-20) including this resolution total \$3,302,492.69 for the Current Fund.

NOW, THEREFORE, BE IT RESOLVED that not less than two-thirds of all members of the Borough Council of the Borough of Fair Haven, New Jersey affirmatively concurring in accordance with the provisions of NJSA 40A:4-20:

1. An emergency temporary appropriation shall be and the same is hereby made for the following purposes:

Account Number	Description	Amount	Reason
Current Account			
9-01-20-130-202	Finance Contractual	\$ 1,000.00	Need until adoption
9-01-20-155-211	Legal Contractual	\$ 25,000.00	Need until adoption
9-01-26-305-202	Solid Waste Contractual	\$205,000.00	Need until adoption
9-01-26-315-235	Vehicle Maint. New Equipment/ Repair	\$ 5,500.00	Need until adoption
9-01-43-486-299	ILSA Tech Support	\$ 2,000.00	Need until adoption
9-01-43-487-299	ILSA Municipal Court	\$ 17,100.00	Need until adoption
TOTAL		\$255,600.00	

2. That said emergency temporary appropriations will be provided for in the 2019 budget under the appropriate titles.

3. That one certified copy of this resolution will be filed with the Director of Local Government Services.

COUNCIL OF THE BOROUGH OF FAIR HAVEN
MONMOUTH COUNTY, NEW JERSEY
RESOLUTION

Motion by:

Second by:

AFFIRMATIVE:

NEGATIVE:

ABSTAIN:

ABSENT:

RESOLUTION NO. 2019-108

TITLE: PAYMENT OF VOUCHERS

BE IT RESOLVED by the Governing Body of the Borough of Fair Haven that the vouchers listed for payment on the May 13, 2019 agenda are hereby approved and the Finance Department is hereby authorized to release payment to the various vendors.

2018 CURRENT ACCOUNT	\$	4,652.13
2019 CURRENT ACCOUNT	\$	1,495,717.32
GENERAL CAPITAL	\$	5,149.92
GRANT FUND	\$	1,098.74
PAYROLL AGENCY	\$	13,254.54
OTHER TRUST	\$	8,437.72
DOG TRUST	\$	8.40
TOTAL	\$	1,528,318.77

COUNCIL OF THE BOROUGH OF FAIR HAVEN
MONMOUTH COUNTY, NEW JERSEY
RESOLUTION

Motion by:

Second by:

AFFIRMATIVE:

NEGATIVE:

ABSTAIN:

ABSENT:

RESOLUTION NO. 2019-109

TITLE: AWARD BID FOR SOLID WASTE AND RECYCLING SERVICES TO SUBURBAN DISPOSAL AND AUTHORIZE EXECUTION OF THE CONTRACT (JUNE 1, 2019 THROUGH MAY 31, 2021)

WHEREAS, sealed bids were opened on April 25, 2019 in the Borough Hall Council Chambers for Solid Waste and Recycling Collection Services and

WHEREAS, the following bids were received:

	<i>Bidder</i>	<i>Base Bid 3 Year Contract</i>	<i>Alternate 2 Amount</i>	<i>Alternate 3 Amount</i>
1.	Suburban Disposal, Fairfield, NJ	\$888,000.00 (\$296,000.00 Annual)	\$290.00 (60 pulls)	\$30,000.00 (lump sum)
2.	Republic Services, South Plainfield, NJ	\$1,028,708.00 (\$342,902.00 Annual)	\$225.00 (60 pulls)	No Bid

WHEREAS, Richard Gardella, PE, PP, CME, Borough Engineer and Salvatore Alfieri reviewed the bids and hereby recommend that a contract award be made to Suburban Disposal, 54 Montesano Road, Fairfield, NJ in the amount of \$888,000.00 (\$296,000 annually) including Alternate #2 in the amount of \$17,400 (\$5,800 annually) and Alternate #3 in the amount of \$30,000 annually; and

WHEREAS, the Chief Financial Officer of the Borough of Fair Haven has certified that funds for the low bid are available in Budget Appropriations 9-01-26-305-202 and 9-01-43-494-202, as attached; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Fair Haven that it hereby recommends award of a contract for Solid Waste and Recycling to Suburban Disposal, 54 Montesano Road, Fairfield, NJ and that the Mayor and Borough Clerk are authorized to execute a three-year contract to expire on May 31, 2022.

BE IT FURTHER RESOLVED, that the Borough may consider a contract extension during the third year of said contract.

OR

COUNCIL OF THE BOROUGH OF FAIR HAVEN
MONMOUTH COUNTY, NEW JERSEY
RESOLUTION

Motion by:

Second by:

AFFIRMATIVE:

NEGATIVE:

ABSTAIN:

ABSENT:

RESOLUTION NO. 2019-109

TITLE: AWARD BID FOR SOLID WASTE AND RECYCLING SERVICES TO SUBURBAN DISPOSAL AND AUTHORIZE EXECUTION OF THE CONTRACT (JUNE 1, 2019 THROUGH MAY 31, 2021)

WHEREAS, sealed bids were opened on April 25, 2019 in the Borough Hall Council Chambers for Solid Waste and Recycling Collection Services and

WHEREAS, the following bids were received:

	<i>Bidder</i>	<i>Base Bid 3 Year Contract</i>	<i>Alternate 2 Amount</i>	<i>Alternate 3 Amount</i>
1.	Suburban Disposal, Fairfield, NJ	\$888,000.00 (\$296,000.00 Annual)	\$290.00 (60 pulls)	\$30,000.00 (lump sum)
2.	Republic Services, South Plainfield, NJ	\$1,028,708.00 (\$342,902.00 Annual)	\$225.00 (60 pulls)	No Bid

WHEREAS, Richard Gardella, PE, PP, CME, Borough Engineer and Salvatore Alfieri reviewed the bids and hereby recommend that a contract award be made to Suburban Disposal, 54 Montesano Road, Fairfield, NJ in the amount of \$888,000.00 (\$296,000 annually) including Alternate #2 in the amount of \$17,400 (\$5,800 annually); and

WHEREAS, the Chief Financial Officer of the Borough of Fair Haven has certified that funds for the low bid are available in Budget Appropriations 9-01-26-305-202 and 9-01-43-494-202, as attached; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Fair Haven that it hereby recommends award of a contract for Solid Waste and Recycling to Suburban Disposal, 54 Montesano Road, Fairfield, NJ and that the Mayor and Borough Clerk are authorized to execute a three-year contract to expire on May 31, 2022.

BE IT FURTHER RESOLVED, that the Borough may consider a contract extension during the third year of said contract.